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Attorneys for Plaintiffs CANNON HUGH DANIELS,
ARIELE ROSTAMO aka ARIELE NELSON, SUSAN
ADELL DANIELS, and JOSEPH ALBERT DANIELS, IV

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CANNON HUGH DANIELS, deceased;
decedent's wife, ARIELE ROSTAMO aka
ARIELE NELSON; decedent's mother,
SUSAN ADELL DANIELS; and decedent's
father, JOSEPH ALBERT DANIELS, IV,
individually,

Plaintiff,

vs.

CALIFORNIA FORENSIC MEDICAL
GROUP, INC., WELLPATH
MANAGEMENT, INC., BUTTE COUNTY,
S. Parker, D. Brownfield, Sergeant Turner,
Sergeant Behlke, Deputy Darnell, Deputy
Smith, Deputy Yee, Deputy Bazan, Deputy
Thornton, Sergeant Mell, Deputy Lazurenko,
Deputy LaRue, Deputy Ogden, Deputy
Mayfield, Deputy Davis, Deputy Tauscher and
Lt. Jarrod Agurkis, SACRAMENTO
COUNTY, Officer McKersie, Sergeant Bunn,
Sergeant Jenkins, Officer Rickett, Lieutenant
Hodgkins, Officer Gailey, Officer Tallman,
Officer Pomosson, and Officer Folena
Defendants. /

Case No.: 2:21-cv-0277 JAM-JDP

JOINT STIPULATION AND ORDER

Complaint Filed: 02/11/2021

1 The parties hereby submit this JOINT STIPULATION AND [PROPOSED ORDER] to extend the
2 deadlines and trial date by two months, or as soon thereafter as the Court deems appropriate.

3 This case originated as two separate lawsuits, one filed on February 26, 2020, and another filed on
4 February 11, 2021. These cases were combined by way of the parties' stipulation. The allegations of the
5 complaint include wrongful death and violation of Cannon Daniels civil rights. The issues of the case are
6 many because the allegations include deficiency of medical care, deliberate indifference, damages to Cannon
7 Daniels (deceased) prior to his passing, damages for alleged violation of civil rights, damages for wrongful
8 death, and causation issues concerning Mr. Daniels' medical condition and death. All of these various issues
9 require experts as well as investigating all facts leading up to (and after) the death of Cannon Daniels. This
10 necessarily involves deposing numerous percipient witnesses, including family of Mr. Daniels, friends of
11 Mr. Daniels, custodial jail officers of the Butte County Jail, medical personnel of the Butte County Jail, as
12 well as various experts. The allegations of the complaint are highly contested by defendants, although
13 counsel for all the parties have a good working relationship and continue to cooperate as much as possible
14 with each other to avoid this Court's involvement in any procedural or discovery disputes.

15 The parties have engaged in substantial discovery, including initial disclosures, special
16 interrogatories, requests for admissions, document demands, initial expert disclosures, supplemental expert
17 disclosures, and numerous depositions including some expert witness depositions. Plaintiffs and defendants
18 have taken numerous depositions already. The parties have already taken approximately 25 depositions, and
19 have approximately another twenty or more to be taken (subject to the parties' meet and confer efforts and
20 stipulation). The parties will not, however, be able to complete these depositions prior to the current
21 discovery deadline of November 1, 2022, due to conflicts in the witnesses' and respective attorneys'
22 schedules. The parties are endeavoring to complete the depositions as soon as possible, but will need dates
23 in November and December to finish the various depositions. Now, therefore, all the parties submit the
24 following stipulation and request for order to extend the case deadlines and trial date for approximately two
25 months, as follows:

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27 // //

28 // //

IT IS HEREBY STIPULATED by and between the parties through their counsel of record:

1. The current fact discovery deadline of November 1, 2022, shall be extended to December 31, 2022, for only those depositions currently noticed as of the date this stipulation is last signed by the parties. The parties retain their right to set additional depositions if the parties so stipulate or with leave of court, good cause showing;
2. The parties agree to the following deadlines:
 - a. Dispositive Motion filing: January 23, 2023;
 - b. Dispositive Motion hearing: April 11, 2023 at 1:30 PM;
 - c. Joint-Mid Litigation Statement Filing: 14 days before close of discovery (December 16, 2022);
 - d. Final Pre-Trial Conference: May 26, 2023, at 10:00 AM;
 - e. Jury Trial: July 10, 2023, at 9:00 AM.

IT IS SO STIPULATED.

Date: October 12, 2022

PORTER | SCOTT
A PROFESSIONAL CORPORATION

By /s/ William E. Camy
William E. Camy
Alison J. Southard
Attorneys for Butte County Defendants

Date: October 12, 2022

LAW OFFICES OF JEROME M. VARANINI

By /s/ Jerome M. Varanini
Jerome M. Varanini
Attorney for Defendants CALIFORNIA
FORENSIC MEDICAL GROUP, INC., and
WELLPATH MANAGEMENT, INC

1 Date: October 12, 2022

ANDREW E. BAKOS & ASSOCIATES, P.C.

2
3 By /s/ Andrew Bakos

4 Andrew Bakos

Attorney for Plaintiffs

5
6 Date: October 12, 2022

D.B. HILL, A PROFESSIONAL LAW CORPORATION

7
8 By /s/ Dennis B. Hill

9 Dennis B. Hill

Attorney for Plaintiffs

10 **ORDER**

11 Pursuant to the stipulation of the parties, and good cause appearing therefore, **IT IS HEREBY**
12 **ORDERED** as follows:

- 13 1. The current fact discovery deadline of November 1, 2022 is hereby extended to December 31, 2022,
14 for only those depositions currently noticed as of the date this stipulation is last signed by the parties.
15 The parties retain their right to set additional depositions if the parties so stipulate or with leave of
16 court, good cause showing.
- 17 2. The following deadlines are hereby set:
- 18 a. Dispositive Motion filing: January 23, 2023;
- 19 b. Dispositive Motion hearing: April 11, 2023 at 1:30 PM;
- 20 c. Joint-Mid Litigation Statement Filing: 14 days before close of discovery (December 16,
21 2022);
- 22 d. Final Pre-Trial Conference: May 26, 2023, at 10:00 AM;
- 23 e. Jury Trial: July 10, 2023, at 9:00 AM.

24 **IT IS SO ORDERED.**

25
26 Date: October 12, 2022

/s/ John A. Mendez

27 THE HONORABLE JOHN A. MENDEZ

28 SENIOR UNITED STATES DISTRICT JUDGE